
The Role of Regional Government in Solving the Conflict of Boundaries between Pakraman Culik Village and Pakraman Tukad Besi Village

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Abstract

The background of this study is a conflict about the sign installation done by Desa Pekraman Tukad Besi in Desa Pekraman Culik boundaries which happened in Segara Temple, Abang Restrict, in addition, the conflict raises because of the land certification which had been done by Tukad Besi without acknowledgement from Desa Culik side. The aim of this study is to obtain how the government's role in solving the conflict. The research method in this study is descriptive qualitative. The 5 samples are taken from the representative of the population used purposive sampling. Moreover, in collecting the data in the field, researcher used observation, interview and documentation. The result of the study showed that the government's role had been done based on each duty and function as the first person to decide the policy. Although the handling from the government still weak, in this case, the government had reacted neutral without discriminate one another in solving the conflict between Desa Pakraman Culik and Desa Pekraman Tukad Besi. Thus, the government make some serious efforts to facility the conflict in order that the conflict can be settle. In conclusion, the result of the boundaries problem have not solved. Yet, the community from each village still do the hard work by using persuasive approach and peace, moreover, the communities require the government from Karangasem regency to facility the solution using the discussion and conference method.

Keyword: Boundries; conflict; role of regional government

I. INTRODUCTION

Border disputes between regions are often happen in Indonesia generally. This is interesting to be investigated because the issue of boundaries between regions even though it is regulated by law and guaranteed by the State, but border conflicts between disputing areas continue to occur. Based on data obtained by the Ministry of Home Affairs, more than ninety percent (90%) of the 458 regencies and cities in Indonesia whose borders are still uncertain and still problematic. At present only less than ten percent (10%) of regencies / cities have definite borders. Among these there are 17 provinces and 52 districts / cities involved in border disputes.

On the Ministry of Home Affairs Regulation Number 27 of 2006 concerning Guidelines for Determination and Confirmation of Village Boundaries that have been revoked and replaced with regulation of Home Affairs Number 45 of 2016, that Village Boundary is boundaries of inter-village government administrative areas which are a series of coordinate points located on the surface of the earth can be in the form of natural signs such as ridges/mountains (watershed), river medians and or artificial elements in the field as outlined in the form of maps. Certainty in determining the boundaries of this area, of course, affects the implementation of a regional government that can realize the welfare of society through improved services, empowerment and community participation in diverse and democratic life.

The provisions of the regulation of Ministry Home Affair article also authorize the governor and regent as regional heads to facilitate boundary disputes between regency/city areas in one province or regency. The maintenance of this provision can be formulated by the Governor/Regent by issuing policies in the form of rules or decisions.

As stipulated in the regulation of Ministry Home Affair Number 45 of 2016, differentiating the determination and affirmation in the process of structuring administrative areas. Village boundary determination is the process of determining village boundaries in a cartometric manner on an agreed base map. Confirmation of village boundaries is the activity of determining village boundary

coordinate points which can be carried out by cartometric methods and or field surveys, as outlined in the form of boundary maps with a list of village boundary coordinates. The cartometric method is to trace/draw boundaries on work maps and measure or calculate position of points, lines, distances and wide area coverage using basic maps and other geospatial information as support.

In the regulation, the determination of village boundaries consists of boundary research, determination of the base map used, and cartometric drawing of lines on the base map. While the boundary confirmation includes the stages of determining the boundary determination document, tracking the boundary line, installing the pillar above the boundary line, measuring and determining the position of the boundary pillar, and making the boundary map line.

Various cases of boundary disputes lately often become a conversation in several areas in Bali, as happened in Karangasem Regency. In Karangasem Regency there are several problems regarding village boundaries, such as what happened between Pakraman Culik village and Pakraman Tukad Besi village. The village boundary dispute between them began with the installation of a signboard in Segara Temple on 11 January 2018 which writes, "Segara Temple in Tukad Besi Village" Purwa Kerthi Village in Abang subdistrict, at the same time, the Plaba Temple Segara land was also certified covering an area of 3,808 square meters, the people of Culik Village objected to this, because according to the people of Culik Village, Pura Segara was still in the "Wewidangan" of Culik Village. So as if left unchecked they feel disadvantaged because the area becomes unclear, and since then the atmosphere in both villages has become more sensitive, so that if small friction is left, it causes big problems that will result in physical clashes between the two villages. Hereby, the role of the government is very important in resolving these boundary disputes so as not to cause greater conflict in the Abang subdistrict area. If this conflict is not resolved immediately it will affect the economic development in that region.

The background of the problem in this boundary dispute is the lack of clarity in the documents and history of the two villages. Otherwise, if the village boundary is not clear, it will cause 2 (two) possible negative consequences, firstly a part of the territory can be ignored by each village because they thought that this is not the region or in other words, each village throws responsibility for conducting government, community service and development in that part of the region, and secondly, one village can be considered to exceed the authority of the other village so that there is the potential for conflict between villages. The uncertainty of a village boundary can have a wider negative impact than just the potential for conflict between villages. Therefore, in the administration of government administration, assertion of regional boundaries becomes important to be implemented.

However, determination boundaries physically on the ground is certainly not an easy thing, even though the administration of regional government has been running and developing since the establishment of the Unitary Republic of Indonesia. Juridical boundaries have been established by the laws establishing each each region. Determination of regional boundaries is also related to the preparation of Regency or City Spatial Planning. Regarding with that deal, the President of the Republic of Indonesia instructed in the Presidential Instruction Number 8 of 2013 concerning Completion of the preparation of Provincial and Regency or City Regional Spatial Plans so that each Provincial and Regency/City area accelerates the completion of the preparation of provincial and district or city spatial plans.

In fact, determining the physical boundary points by referring to the law on the formation of the region itself often creates problems between the regions concerned. Because each party is not easy to simply agree on the location of the specified physical boundary points. Likewise regarding the area boundary between Pakraman Culik village and Pakraman Tukad Besi village, physically on the ground there are still unclear boundary points. It means that it has not been agreed between the two villages and even a kind of prolonged debate occurs, this can be seen from the unfinished completion the issue of regional boundaries. Although the regional boundary management activities have been coordinated and scheduled by the Karangasem Regency Government.

That is, based on the background of prblem above, interesting for the researcher to investigate further about the boundary conflict between Pakraman Culik village and Pakraman Tukad Besi village which has not yet been resolved at this time. The border between of the two villages had not been determined either based on the agreement of the two villages and related government agencies.

II. METHOD

The population in this study is individuals representing each organization such as the Abang sub-district head, Culek Perbekel, Tukad Besi Perbekel, Culik Custom Figure, Tukad Besi Custom Figure while the sample is a small part of the population members taken according to certain procedures, namely people who are involved in boundary dispute problems or people who are not involved but are competent in overcoming the boundary problem so that they can represent the population. Samples to be taken from the population must be truly representative or able to represent. The sampling technique used in this study is the purposive sampling technique.

Despite that recently study intends to find out the role that has been carried out by the Regional Government in the effort to resolve the Border Conflict between the Village of Pakraman Culik and the Village of Pakraman Tukad Besi. To get objective conclusions, in this qualitative study researchers tried to explore the symptoms that interpret the problem or infer a combination of various problems. In this study the respondents are as follows subdistrict of abang, culik perbekel, perbekel tukad besi, culinary customs, Tukad besi indigenous figure.

Furthermore, In this study the researcher used data collection techniques namely a) Interview: in this case the interview is used to obtain research information by asking directly to the parties concerned, namely face to face or hear directly the expressions or explanations of the parties being interviewed. b) documentation. Here the data includes documentation techniques, namely by using historical documents about the Village and other documents related to research. c) observation: here the researcher observes the object of research directly to the place of research and know firsthand the purpose of research. After that those data are analyzed by using an interactive model where the components of data analysis interact interactively during and after data collection as described in the pattern below.

III. RESULTS AND DISCUSSION

Based on Pemunder (Bhisama/Fatwa) or the history of Pakraman Culik village, which was made in 1578 and translated in Latin letters Icaka in 1922, that Raja Karangasem had given the area of Pakraman Culik Village to I Pasek for always being mindful. Also assigned to maintain several temples at once, such as: Puseh Temple, Temple in Mbudan Toya, Segara Temple, Petasi, Krakad. Each of these temples has also been awarded a complete profit with its limits. In each of these regions, officials or prefects have also been appointed, such as Puseh Culik Temple cuddled (accounted for) by I Pasek Culik, Puseh Tukad Besi Temple is cuddled by I Bendesa Tukad Besi originating from Kayu Aya. Likewise, those who are entitled to become a Selihan Desa and Pemangku Ageng in Desa Culik Indigenous, only I Pasek Culik originates from Aan. While those who are entitled to become Bendesa in Puseh Culik Temple is I Bendesa Tukad Besi originating from Kayu Aya Village.

The land as a gift from the King is intended as Puseh Temple's profit land, with an estimated area of approximately 630 hectares. The purpose of this land grant is to be used to finance the ceremonial needs (aci) at Puseh Temple, Culik Indigenous Village and also its physical development.

In the course of the Culik Village Government, whose territory covered 17 (seventeen) Banjar Dinas, experienced an area expansion in 1982 to become 4 (four) Dinas Villages, namely Labasari Village, Culik Village, Kertha Mandala Village, and Purwa Kerthi Village.

Recently, many disputes over the village boundary (custom) have colored the lives of indigenous and tribal peoples in Bali, including those between Culik custom Village and Tukad Besi custom Village. The emergence of a boundary conflict between the village of Pakraman Culik and the village of Pakraman Tukad Besi started because of the installation of signposts in Segara Temple and claims of ownership and exclusive ownership of each customary village. Besides that, each pakraman seemed forgetting the historical aspects of the emergence of the adat village and the customary land itself.

The essence of the boundary conflict between the two Pakraman villages, is the Pura Segara dispute which began on January 11, 2017. Two Culik villagers from the custom banjar of Babakan, told the Culik Bendesa that the Segara Temple had been put up with a sign saying "Segara Temple Pakraman Tukad Besi, Purwa Kerthi Village, Abang subdistrict".

At the same time, Culik village also received information that the Temple Segara pelaba land

which according to Bendesa Culik itself still exists in the area of Culik Village, has been certified as 3,808 m² in the name of Desa Pakraman Tukad Besi. This situation made the Culik people be angry because they knew that without prior agreement from both parties. At this stage the Culik village still tried to quell the anger of the Culik residents, so that anarchist action would not occur and trigger a greater conflict. So the Culik village tried to ask for an explanation from the Pakraman village of Tukad Besi village through an official letter on February 11, 2017. After that, Culik village waited for two weeks, apparently the Pakraman Tukad Besi village did not give any response.

Bendesa (The leader) Culik again sent a second letter on 25 February 2017, apparently the letter was rejected directly by the Pakraman Tukad Besi village. So based on the decision of the Great Paruman Village of Pakraman Culik, it was decided to install rival names in the same location.

This problem was mediated by the head of Abang Sub-District Communication Forum (Forkompincam), but the results was failed. The boundary conflict that occurred between Culik Village and Tukad Besi is still ongoing. This conflict has not been resolved because each party has remained with the arguments they have. This is a problem that is very difficult to solve because there is no agreement to resolve the current conflict, and also there is no common ground in the existing problem.

The Krama of Pakraman Culik village and the Pakraman Tukad Besi vilage, finally hope that this issue can be mediated by the Regional Government. The goal is to avoid prolonged conflict, let alone physical clashes, so that relations between the two parties to the dispute become even worse.

The head of Abng Subdistrict and his staff have tried to facilitate and mediate in solving the problem of the boundaries of the two villages, but until now there has not been a meeting point. Therefore, the sub-district head suggested that both parties to the conflict continue the problem with the district asking for help in finding a solution.

Thus, efforts to resolve the boundary of the boundary of the Culik Village and the Tukad Besi Customary Village, which has been handled by the Abang Subdistrict government, have yet to reach an agreement. It is seen that the relationship between Custom Culik Village and custom Tukad Besi Village has not improved and cooperation between the two villages has not yet been established, so that the people of both villages feel greatly disadvantaged by the prolonged conflict.

IV. CONCLUSION

This research explains from the perspective of Government Science, specifically Conflict Management, regarding the resolution of village boundary conflicts between Pakraman Culik Village and Pakraman Tukad Besi Village. The village boundary conflict between Desa Pakraman Culik and Desa Pakraman Tukad Besi has yet to find a bright spot. Community leaders in each village have tried hard to resolve this case with a persuasive and peaceful approach, and asked the Karangasem Regency Government to facilitate its resolution by prioritizing consensus. There are also steps that have been taken by Karangasem Regency Government firstly, Karangasem Regency Government has tried to resolve the border conflict between Pakraman Culik Village and Pakraman Tukad Besi Village well through an agreement between the two parties. Secondly, he efforts of the regional government in resolving border conflicts between Pakraman Culik Village and Pakraman Tukad Besi Village include facilitation, mediation and negotiation, so that in deciding this case it can be resolved by consensus and the, although the Karangasem Regency Government has tried to make a persuasive approach to community leaders of the two villages, but to date the boundary conflicts of the two villages have not been completely resolved. Finally, the obstacle, because the two parties have not agreed yet in determining the location of the boundary of the Culik Village with the Tukad Besi Village, although they often hold meetings facilitated by the Regional Government of Karangasem Regency.

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